

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68039 of 2025

Arising Out of PS. Case No.-515 Year-2025 Thana- MOTIHARI TOWN District- East Cham-
paran

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Rakesh Kumar S/o Late Shankar Choudhary Resident Of Village- Balua
Bazar, Ps- Town, Motihari, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar
For the Opposite Party/s	:	Mr. Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 19 litres of illicit country
made liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion. Nothing has been recovered from
conscious possession of the petitioner. Petitioner has no concern
with the seized illicit liquor. The Police has not followed the
mandate provision of Section 100 (iv-vii) of Cr.P.C. as no any
independent witness has been made witness of seizure list. Peti-



tioner has one criminal antecedent of similar nature and he is on bail in that case. Petitioner is young boy aged 20 years and he undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise Court No. 1, East Champaran, Motihari/learned Court concerned, in connection with Town P.S. Case No. 515 of 2025, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

Ranjeet/-

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